

**CAMPBELL COUNTY  
PROJECT DEVELOPMENT BOARD  
MINUTES**

**June 27, 2007**

A regular meeting of the Project Development Board was held on Wednesday, June 27, 2007, 5:00 P.M. at the Campbell County Court House, 330 York Street, Newport, Kentucky.

In attendance at the meeting were Board members:

WILLIAM H. WHITE, CHAIRMAN  
JUDGE WILLIAM J. WEHR, CO-CHAIR  
THOMAS J. CALME, CIRCUIT COURT CLERK  
JUDGE D. MICHAEL FOELLGER  
TARA HALPIN  
CHARLES R. PETERS  
JUDGE GREGORY T. POPOVICH, SENIOR DISTRICT JUDGE  
GARLAN VANHOOK

Hutch Johnson	Attorney for the Board
Chenault Woodford	CMW
Chris Greene	CMW
Vince Gabbert	Ross, Sinclaire & Associates
Susan A. Prather	Secretary (exited the meeting at 5:30 p.m.)

The meeting was called to order at 5:05 p.m. by Chairman White. Following roll call, a quorum was declared present.

Minutes from the regular meeting held May 23, 2007 were presented by Chairman White. Motion was made by Judge William Wehr and seconded by Mr. Chuck Peters to approve the minutes of May 23, 2007 as presented. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Chairman White greeted the public and acknowledged the attendance of Judge Fred Stine and Mr. Robert Horine, Campbell County Administrator.

Motion was then made by Judge Wehr to immediately seat Ms. Tara Halpin as the State Representative/Citizen-At-Large member following the amended Rules and Regulations, Part X, Third Edition, adopted by AOC in May 2007. The motion was seconded by Mr. Peters. There being no further discussion, all voted "AYE" and the motion passed unanimously. Ms. Halpin accepted the position as member of the Campbell County Project Development Board.

There was no Old business to go before the Board.

Chairman White then noted that a copy of AOC's revised Rules and Regulations has been received and is available for review by the members should they so desire.

Mr. Vanhook then questioned whether solicitations for Bond Counsel were performed by Ross, Sinclaire & Associates. Mr. Vince Gabbert stated that an informal RFP was forwarded to five/six agencies generally utilized in such projects. A motion was then recommended by Mr. Vanhook to allow Ross, Sinclaire & Associates to correspond with AOC regarding the text necessary to advertise for the RFP. Motion was made by Judge Wehr and seconded by Mr. Peters. There being no further discussion, all voted "AYE" and the motion passed unanimously.

The Report of the Architectural Agent was then invited by Chairman White. An update on the health of Mr. Bill Pickering was provided by Mr. Chenault Woodford. He noted that a tumor was found on Mr. Pickering's spinal column. He then introduced Mr. Chris Greene of CMW. Mr. Greene stated an executed copy of the AE contract had been delivered to Mr. Vanhook for his review. Upon completion of any necessary revisions, the contract would then be presented to the Project Development Board for their consideration and approval.

Mr. Greene provided the results as to the survey and geotechnical proposals solicited. He pointed out that the proposal from Cox Land Surveying was low bid for completion of the needed survey and that Geotech Engineering & Testing was low bid for the geotechnical work. Mr. Greene stated that the proposal for the geotechnical may change slightly as a blueprint of the building had not yet been provided to Geotech. Mr. Peters questioned whether the contract would be executed through the Project Development Board or Court House Commission. Mr. Vanhook stated that all contracts would be executed by the Court House Commission. Judge Popovich questioned the reason for execution by the Court House Commission. Brief discussion then took place as to the reasons behind the necessary execution by the Court House Commission. Mr. Calme questioned the wide range in fees proposed. It was noted by Mr. Vanhook that contracts for professional services do not require the use of a competitive bid process. Mr. Woodford explained that the cost per linear foot varies greatly among the companies; however, work would be completed in accordance with the necessary performance documents. Mr. Vanhook questioned why more specific instructions were not provided to the companies solicited. Mr. Woodford was unable to answer the question. It was the recommendation of Mr. Vanhook that a decision be tabled regarding the hiring of a Surveyor and Geotechnical in order to allow for additional consideration. Judge Foellger questioned whether Mr. Brian Cox, County Surveyor, was an elected official. Mr. Robert Horine, County Administrator, explained that the office of County Surveyor is an elected position. Mr. Peters stated that Mr. Cox is a licensed surveyor who previously worked for Cardinal Engineering. Judge Popovich affirmed that specific instructions would be provided to the company hired to complete the required survey. It was confirmed by Mr. Woodford that specific instructions would be provided. It was then moved by Mr. Peters that recommendation be made to the Court House Commission to retain the services of Cox Land Surveying for completion of the necessary survey in the amount of \$6,500.00. The motion was seconded by Judge Popovich. There being no further discussion, all voted "AYE" and the motion passed unanimously. It was the consensus of the Board to table the decision regarding the hiring of a geotechnical firm.

Mr. Woodford then stated that the interview process will soon begin with Mr. Greene assisting in scheduling the meetings. He also noted that it is their intention to present a schematic design to the Facilities and Standards Committee in September. He pointed out that information pertaining to the percentage of the existing building to be utilized for the new Justice Center will need to be known. Chairman White explained that negotiations are on-going but that the issue is not yet resolved. Judge Foellger noted that a decision is imminent. Judge Popovich stated his desire to visit various Court Houses prior to his interview. Mr. Vanhook suggested he visit Boone County and Bowling Green. Brief discussion then took place as to the sites to visit.

Ms. Susan Prather, Secretary, exited the meeting at 5:30 p.m.

The presentations of the construction management agencies of Alliance Construction and Codell Construction were next on the agenda. An invitation for the presentation of Alliance Construction was then extended. Chairman White issued a reminder that each firm will receive thirty minutes to allow for their information to be presented with an additional fifteen minutes for questions and answers. Information was provided as to their qualifications, previous Court House projects and plans and ideas for Campbell County. The presentation of Codell Construction Company followed. Introductions were made and information provided as to their qualifications and court house experience.

Upon completion of the presentations, the report of the Financial Agent was then invited by Chairman White. Mr. Vince Gabbert stated that they would have the public notice and RFP for the Bond Counsel ready for approval prior to the next meeting. Mr. Peters requested that, in addition to the required advertising, direct solicitation also take place. Mr. Gabbert agreed to do so.

Next, Chairman White invited the report of the Board Attorney. Mr. Hutch Johnson indicated that the contract for CMW and Ross, Sinclair & Associates should be prepared by the next meeting. Mr. Vanhook explained to the Board that the A-E contract had been submitted by CMW; however, AOC still had to review it with Counsel prior to submitting to Board Counsel for review and approval.

Additional discussion took place on the role of the CM in the project, and as to the possible reason why only two CM's replied to the RFP's. Mr. Vanhook explained the role of the CM and that now they will be "at risk" in their position as CM on all new projects. He further explained that the likely reason only two companies responded to our RFP's is that Alliance and Codell are very specialized and have performed the vast majority of the AOC courthouse projects in the State. Most firms do not possess the experience or specialization and will not apply for such jobs. Likewise, the firms which are capable will only apply if the project is in the vicinity of where they perform work. Mr. Vanhook then distributed a Grade Sheet for the voting for the CM for the next meeting.

Chairman White issued a reminded that the next regularly scheduled meeting is to be held July 25, 5:00 p.m. During the discussions for the next meeting date, Mr. Vanhook suggested a special meeting to address the issues of reviewing and/or choosing the CM, approving the ad for the Bond Counsel and the RFP for Bond Counsel, and any other business which may come before the Board. Upon motion which was seconded, the Board unanimously agreed to meet on July 11, 2007 at 5:00 P.M. in the Courthouse to address these issues. Judge Foellger will be unable to attend.

Upon motion which was seconded, the Board unanimously voted to adjourn at approximately 7:55 P.M.

APPROVED:

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WILLIAM H. WHITE  
CHAIRMAN

ATTEST:

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SUSAN A. PRATHER  
SECRETARY